

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

David R. Dunlap
Debtor(s)

Bankruptcy Case No.: 19-22782-CMB

Chapter: 13
Docket No.: 46 - 42
Concil. Conf.: June 25, 2020 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 4/14/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2107.00 as of 7/2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 25, 2020 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: One Main Financial (CI #7) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: June 30, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 David R. Dunlap
 Debtor

Case No. 19-22782-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
 Form ID: 149

Page 1 of 3
 Total Noticed: 55

Date Rcvd: Jun 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 02, 2020.

db +David R. Dunlap, 10 N. Grandview Avenue, Pittsburgh, PA 15205-4428
 cr +Borough of Crafton, Goehring, Rutter and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 cr +Carlynton School District, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
 15086260 +Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
 15086261 +Barclays Bank Delaware, Attn: Correspondence, Po Box 8801, Wilmington, DE 19899-8801
 15121057 +Borough of Crafton, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 15121054 +Carlynton School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 15086264 Charles H. Sakai, DMD, 1913 Crafton Blvd, Pittsburgh, PA 15205-4404
 15125181 #Ditech Financial LLC, P.O. Box 12740, Tempe, AZ 85284-0046
 15086267 +Diversified Consultants, Inc., Attn: Bankruptcy, Po Box 679543, Dallas, TX 75267-9543
 15089081 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: FORD MOTOR CREDIT COMPANY LLC, PO BOX 62180,
 COLORADO SPRINGS, CO 80962-2180)
 15086268 +First Premier Bank, Attn: Bankruptcy, Po Box 5524, Sioux Falls, SD 57117-5524
 15086269 +FirstSource Advantage, LLC, Re: Capitall One, 205 Bryant Woods South,
 Buffalo, NY 14228-3609
 15086270 +FordCredit, National Bankruptcy Center, Po Box 6275, Dearborn, MI 48121-6275
 15086271 +Fortiva, Attn: Bankruptcy, Po Box 105555, Atlanta, GA 30348-5555
 15086272 ++GC SERVICES LIMITED PARTNERSHIP, 6330 GULFTON, HOUSTON TX 77081-1198
 (address filed with court: GC Services Limited Partnership, Re: Sprint, 6330 Gulfton,
 Houston, TX 77081)
 15086273 +Halsted Financial Services, LLC, Re: LVNV Funding LLC, PO Box 828, Skokie, IL 60076-0828
 15086276 +LTD Financial Services LP, Re: Distressed Asset Portfolio III, LLC, 3200 Wilcrest Suite 600,
 Houston, TX 77042-6000
 15086281 +MRS, Re: Synchrony Bank/Care Credit, 1930 Olney Avenue, Cherry Hill, NJ 08003-2016
 15086278 +Management Services, Inc., Re: Barclays Bank Delaware, PO Box 1099,
 Langhorne, PA 19047-6099
 15086279 +Medical Rescue Team South Authority, P.O. Box 18210, Pittsburgh, PA 15236-0210
 15184839 New Residential Mortgage LLC, P.O. Box 10826, Greenville, SC 29603-0826
 15086283 +Parkway Clinical Laboratories, 3494 Progress Drive, STE D, Bensalem, PA 19020-5815
 15086284 +Rennerdale EMS, 30 Suburban Ave, Carnegie, PA 15106-1489
 15086285 +Roseanne Dunlap, 10 N. Grandview Avenue, Pittsburgh, PA 15205-4428
 15086287 Saint Clair Medical Services, PO Box 1870, Cary, NC 27512-1870
 15086288 +Sprint, PO Box 1466, Houston, TX 77251-1466
 15105857 +The Bank of Missouri, PO Box 105555, Atlanta, GA 30348-5555
 15086291 +Transworld Systems, Re: Medical Rescue Team South Authority, 300 Cedar Ridge Dr.,
 Suite 307, Pittsburgh, PA 15205-1159
 15086292 Unifund CCR LLC, 10625 Techwood Circle, Cincinnati, OH 45242-2846
 15086293 Van RU Credit Corporation, Re: Fortiva Financial, Dept 96037, Oaks, PA 19456
 15086294 +Wells Fargo Dealer Services, Attn: Bankruptcy, Po Box 19657, Irvine, CA 92623-9657

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 01 2020 06:20:38
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15086262 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:21:22 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15091388 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 01 2020 06:20:30
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15109143 +E-mail/Text: bankruptcy@cavps.com Jul 01 2020 06:09:04 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 15086263 +E-mail/Text: bankruptcy@cavps.com Jul 01 2020 06:09:04
 Cavalry SPV I, LLC Assignee of Citibank, c/o Andrew Zaro President/CEO,
 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2321
 15086265 E-mail/Text: mediamanagers@clientservices.com Jul 01 2020 06:07:06 Client Services, Inc,
 Re: Synchrony Bank Walmart MC, 3451 Harry S Truman Blvd, Saint Charles, MO 63301-4047
 15122833 +E-mail/Text: kbarkley@bernsteinlaw.com Jul 01 2020 06:09:29 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 15086274 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Jul 01 2020 06:08:48 KeyBank,
 Attn: Bankruptcy, Oh-01-51-0622) 4910 Tiedeman Rd, Brooklyn, OH 44144-2338
 15086275 +E-mail/Text: key_bankruptcy_ebnc@keybank.com Jul 01 2020 06:08:48 Keybank, Na,
 4910 Tiedman Road, Brooklyn, OH 44144-2338
 15089718 E-mail/PDF: resurgentbknofications@resurgent.com Jul 01 2020 06:21:44 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15086277 +E-mail/PDF: resurgentbknofications@resurgent.com Jul 01 2020 06:20:45
 LVNV Funding/Resurgent Capital, Attn: Bankruptcy, Re: Credit One Bank N.A., Po Box 10497,
 Greenville, SC 29603-0497
 15097331 E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 01 2020 06:22:12 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368

District/off: 0315-2

User: dsaw
Form ID: 149

Page 2 of 3
Total Noticed: 55

Date Rcvd: Jun 30, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15086280 +E-mail/PDF: MerrickBKNotifications@Resurgent.com Jul 01 2020 06:21:07
Merrick Bank/CardWorks, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
15086282 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:21:06
Attn: Bankruptcy, 601 Nw 2nd St #300, Evansville, IN 47708-1013
15100041 +E-mail/PDF: cbp@onemainfinancial.com Jul 01 2020 06:22:13
Evansville, IN 47731-3251
15124873 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 01 2020 06:20:38
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15109198 +E-mail/Text: JCAB_BNC_Notices@jcap.com Jul 01 2020 06:08:54
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
15093143 E-mail/Text: appebnmailbox@sprint.com Jul 01 2020 06:08:23
Attention Bankruptcy, PO Box 7949, Overland Park, KS, 66207 - 0949
15086286 E-mail/Text: PFS.Analyst@stclair.org Jul 01 2020 06:09:18
1000 Bower Hill Road, Pittsburgh, PA 15243-1899
15086724 +E-mail/PDF: gecsedirecoverycorp.com Jul 01 2020 06:20:23
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15123987 +E-mail/PDF: gecsedirecoverycorp.com Jul 01 2020 06:21:12
c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15086289 +E-mail/PDF: gecsedirecoverycorp.com Jul 01 2020 06:20:23
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15086290 +E-mail/PDF: gecsedirecoverycorp.com Jul 01 2020 06:20:24
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 23

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Ditech Financial LLC
cr New Residential Mortgage LLC
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15100827* +OneMain, PO Box 3251, Evansville, IN 47731-3251
15086266 ##Ditech Financial LLC, PO Box 6172, Rapid City, SD 57709-6172

TOTALS: 2, * 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 02, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 30, 2020 at the address(es) listed below:

Bryan P. Keenan on behalf of Debtor David R. Dunlap keenan662@gmail.com, melindap662@gmail.com
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Borough of Crafton jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor Carlynton School District jhunt@grblaw.com,
cnoroski@grblaw.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

District/off: 0315-2

User: dsaw
Form ID: 149

Page 3 of 3
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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

TOTAL: 7